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February 16, 2010

Central Valley Regional Water Quality Control Board
Timber Harvest Unit
415 Knollcrest Drive Suite 100
Redding, CA 96002

Sent via email to: awilson@waterboards.ca.gov

Dear Ms. Wilson,

Thank you for the opportunity to provide input concerning the Jan 14, 2010 Notice of Intent to Renew Resolution R5-2005-0052, *Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities*. The following comments are provided to the agency on behalf of the Center for Sierra Nevada Conservation, the Yahi Group of the Sierra Club (Lassen Forest Preservation Group), Battle Creek Alliance, and myself. I am a retired biologist with over 20 years of experience in forest ecology and conservation.

We are generally supportive of the requirements of the conditional waiver, as we understand the limitations of staff and funding of Central Valley Water Quality Control Board necessary for monitoring and enforcement of water quality requirements. However, we are concerned that the dischargers will continue to be allowed to "self monitor" water quality. We are particularly concerned that the forensic monitoring requirements are not stringent enough in relation to pesticides that are used in high volumes by the timber industry when native forest stands are converted to commercial tree plantations.

The trend towards converting native forest to commercial single species -- which are then managed with herbicides to eliminate competing species of plants -- is a trend that has increased exponentially in the last decade in Northern California. These applications are occurring in the headwaters of streams that supply habitat for fish and wildlife, including threatened and endangered salmonids, and drinking water for millions of Californians. No agency in California is actively

monitoring the short or long term effects of these increased applications.

Forestry pesticide applications are not comparable to the types of spraying that occurs in flat valley farm fields. The types of herbicides used to kill oaks and other non-commercial timber and woody shrubs are very potent, and frequently long lasting. They are applied over a period of several years, with re-applications continuing until the forest stands are free from competing species. Forest pesticide applications occur on steep mountain slopes where water easily carries the pesticides directly into our streams and rivers. Tens of thousands of acres of native forest are being clearcut and converted to commercial plantations in this manner each year.

Atrazine has been used in high volumes by the timber industry in Northern California for decades. It has been found to be a powerful endocrine disruptor, causing male frogs to become hermaphrodites. The scientific literature has widely reported research of this effect. The use of tens of thousands of pounds of atrazine by the timber industry, in watersheds with rare amphibian and salmonids species, may be one of the reasons for the continued decline of these aquatic organisms. Other herbicides -- such as imazapyr, hexazinone, and triclopyr -- that are widely used by the industry have not been the subject of similar studies as atrazine, so we really don't know what the effects may be to wildlife or to humans who are drinking the water downstream from these forest applications. Because of the many uncertainties and unknowns concerning these chemicals, in order to be protective of human health and the environment, it is necessary to require more stringent monitoring.

We believe that the waiver should be modified to require Water Quality Compliance Monitoring for every Category C timber harvest plan employing water column sampling to determine whether waste discharges pesticide concentrations from timber harvest activities are in compliance with Basin Plan standards. These should be provided pre- and post- harvesting. The sampling should be conducted by an independent laboratory and submitted directly to the Central Valley Regional Water Quality Control Board. The cost of the program should be the responsibility of the timber harvester (discharger).

As noted in the Resolution, items 18 through 20:

18. The Management Agency Agreement between the State Water Board and CDFCAL

FIRE/BOF required a formal review of the California Forest Practice Rules and administering processes no later than six years from the date of certification. To **date, that review has not occurred;**

19. The USEPA **has not approved** the State Water Board's certification of the California Forest Practice Rules and administering processes for regulation of timber harvest activities on nonfederal lands in California;

20. On 6 July 1999, joint recommendations developed by staffs from four Regional Water Quality Control Boards (e.g., regional water boards (Lahontan,

North Coast, Central Coast, Central Valley) were submitted to the BOF. Those recommendations detailed numerous amendments needed to the Forest Practice Rules in order to provide better protection for water quality and beneficial uses of water. **To date, many of those recommendations have not been adopted by the BOF.**

According to records submitted to the California Department of Pesticide Regulation, for the most recent year completed, (2007), 234,833 pounds of forestry chemicals were applied to the watersheds of Northern California. Over 99 percent of these are herbicides. Other chemicals used in high volume are surfactants, many of which are known endocrine disrupting chemicals. Shasta County alone applied 59,082 pounds of forestry chemicals in 2007. I would be happy to provide additional data if you would like more information about these applications. There really is no consistent monitoring of these practices being conducted by an agency of the state. A sensible first step to getting a handle on what these increased applications may mean for human health and the environment is to require laboratory monitoring and reporting for every timber harvest plan that will utilize pesticide/herbicide applications in the future management of the site.

Thank you.

Sincerely,

c/Vivian Parker

From: "Vivian Parker" <vparker@cwo.com>
To: <awilson@waterboards.ca.gov>
Date: 2/16/2010 10:12 AM
Subject: RE: Comments on renewal of timber harvestt waiver
Attachments: Timber Conditional Waiver Renewal Feb 2010.doc

Dear Angela,

I had a computer glitch while sending this letter to you and it was one minute late beyond the 10:00 deadline (see previous email). When I prepared to send the letter as an attachment to you, the view has switched to a different format that didn't allow me to save or edit the letter. I tried in vain for fifteen minutes trying to figure out how to restore the letter, and wound up having to simply paste it into an email to you. I have no idea why this happened. The result was the letter was then one minute late.

Please accept my letter into the record as I think it is important to get this view before the board. I don't know that there will be any other letter that represents this view.

In this message I've attached the letter in Word, (now that it has gone back to normal formatting).

Sincerely,

Vivian Parker

From: "Vivian Parker" <vparker@cwo.com>
To: <awilson@waterboards.ca.gov>
Date: 2/16/2010 10:00 AM
Subject: Comments on renewal of timber harvestt waiver

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